

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23339 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- TAJPUR District- Samastipur

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RAUSHAN KUMAR JHA @ RAUSHAN JHA S/o- Bipin Jha Resident of
Village- Morwadih Ward No.14 Police Station- Musrigharari District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tajpur P.S. Case No. 265 of 2024 dated 21.12.2024 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 117(2), 109, 352, 351(2), 191(2), 191(3) and 190 of B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, on 21.12.2024, at about 1.45 P.M., the informant came to home after sowing wheat seeds in land situated in Sultanpur Morwa and started preparing for the sharadh karma of his late grandfather. Meanwhile, his uncle Uday Shankar Jha came and told that some unknown person was making a bed and digging a pit in their land. In the meantime, three masked boys riding a



motorcycle came to the house, abused and ran away. Then the informant went to the farm again with his brothers Aman Kumar and Gaurav Kumar and saw that 25-30 persons, after being drunk, were firing in the air and digging pits. When the informant protested, the co-accused Md. Sonu, Md. Aslam, Rahul Kumar Jha, Roshan Kumar Jha (petitioner) and 20-25 unknown persons shot at the informant with the intention to kill him. The bullet hit his left leg above the knee and the informant fell down on the ground and became injured. All the persons who fired the bullets were the men of Rahul Jha, on whose order all the people have gathered there and were occupying his land, and when he protested, he was shot and injured. It is further alleged that the co-accused, Md. Aslam's brother Mohd. Farooq is also involved in this incident.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. There is a case and counter case. Learned counsel has submitted that the petitioner is made accused in this case only because he is the supporter of the co-accused persons. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The



petitioner has ten criminal antecedents in which he is on bail in nine cases as stated in para 3 of the bail petition. The petitioner is in custody since 17.02.2025. The co-accused person has already been granted regular bail by this Court vide order dated 15.04.2025 passed in Cr. Misc. No. 19665 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Tajpur P.S. Case No. 265/2024, with a condition:-

(i) That the petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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